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MEMORANDUM

TO : USBER:POL: Mr. Burns
FROM : USBER:POL: Richard V. Hennes
SUBJECT: Possible Resolution of Steinstücken Problem

October 16, 1958

Among the many persistent Berlin problems, that of the Steinstücken exclave appears to me to be one of the most important political and psychological vulnerabilities of our over-all posture in Berlin. In fact, as a partial result of the Volkspolizei invasion of August 7, 1958, the degree of American firmness with respect to Steinstücken has come to symbolize in the minds of many Berliners and even many Germans, East and West, the determination of the United States with regard to Berlin. With the somewhat analogous Quemoy-Matsu situation in mind, it seems to me worth considering whether or not the present quiet period with respect to Steinstücken could be utilized to attain a more viable arrangement.

The exclave of Steinstücken is separated from the remainder of West Berlin, and in particular from the District of Zehlendorf of which it is a part, by about 800 yards of Soviet Zone territory. A path, three meters wide, over which vehicles are driven, traverses 1100 meters of Soviet Zone territory to link the exclave with West Berlin. The total area of the Soviet Zone taken up by this connecting path is under one acre, about 3300 square meters. Steinstücken itself covers approximately 30 acres (12.67 hectares). It is inhabited, according to latest reports, by 169 persons in first residences and 203 persons in second residences (latter have first residence either in West Berlin or West Germany).

The largest exclave of the American Sector of Berlin is Wüste Mark with an area of 50 acres (21.83 hectares). Wüste Mark consists of agricultural land owned by four farmers living in Berlin-Wannsee and the Evangelic Church Community (one hectare only) and is leased to a West Berlin farmer. Although two persons are registered as resident in the exclave, these are sham registrations according to the police and for practical purposes the exclave is inhabited only by an old pensioner who, at the behest of the lessee, lives in a substantial barn.

The smallest exclave of the American Sector is Nuthe Wiese, an uninhabited agricultural plot of about 9 acres (3.63 hectares). It is owned by the four farmers who own Wüste Mark and was tilled under their auspices in 1951-1952 at the latest. The meadows have reportedly been confiscated by the Eastern authorities and are utilized by them.

The degree of access to these three exclaves differs significantly. For the residents of Steinstücken (holding both first and second residence), access

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is relatively unhampered. Access of service and medical facilities, of official Berlin representatives, and of protective facilities varies from tolerable to restrictive according to the mood of the Soviet Zone authorities.

Access to Wüste Mark by the West Berlin owners or the lessee of the land was tolerable up to June of this year when serious access difficulties (reportedly the fault of the lessee) commenced and were protested by the American Political Adviser. In reply, the Soviets denied responsibility for the problem as being outside the competence of the Soviet Commandant. Subsequently, access has been permitted to the lessee and his workers by passes procured by the lessee from GDR authorities.

Access to Nuthe Wiese has not been permitted since 1951-1952.

From the foregoing, I conclude that for all practical purposes Nuthe Wiese and possibly Wüste Mark are in the process of being absorbed into the Soviet Zone. In an effort to accept our losses when such acceptance would cost us least and simultaneously to shore up Steinstücken by assimilating it into West Berlin, I propose that we seek the best bargain possible to acquire as West Berlin property a clearly designated, secure access path joining Steinstücken to the rest of West Berlin. We could begin the negotiations by offering to exchange the exclave of Nuthe Wiese for the desired access strip to Steinstücken. We should be prepared in the end, if necessary to cede Wüste Mark as well in order to conclude the deal.

If you concur, you may wish to

- (1) Submit a proposal along these lines for approval in the Mission and the Embassy; and as a next step -
- (2) Submit to the Department; if the Department approves -
- (3) Discuss with British and French authorities in Berlin our proposed course of action and, in particular, assure the British that we will not compromise their position with regard to the five exclaves belonging to their Sector of Berlin; when coordinated -
- (4) Seek clearance and approval of the highest West Berlin authorities, including firm assurances from them that the acquiescence of the district authorities of Zehlendorf will be forthcoming if an exchange is arranged and that the costs of any compensation due the property owners of the surrendered territory and any other expenses incident to a transfer will be borne by the city of Berlin; if approved -
- (5) Approach the Soviets at the Political Adviser level, seeking their concurrence to an exchange of territory. If necessary, be prepared to permit details of the transfer to be handled by an all-German working group at the technical level;
- (6) Maintain throughout the negotiations an unequivocal assertion of both
(a) our sovereign rights in the exclaves and, in particular, (b) our right of

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access to Steinstück^{en}.

Should it prove impossible to ameliorate the Steinstück^{en} situation by negotiating a satisfactory territorial settlement, the attempt to do so will have afforded us a convenient opportunity to put the Soviets on notice regarding the following:

- (1) Our assertion of sovereignty with respect to the exclaves, Wüste Mark and Nuthe Wiese, an assertion which is implicit in our offer to relinquish this sovereignty against territorial compensation;
- (2) Our position that we possess the right of access to Steinstück^{en}.
(This could be done by explicit statement to the Soviets, at the same time justifying our interest in joining the exclave territorially to West Berlin as proceeding from a desire to normalize contacts between the Berliners in Steinstück^{en} and the rest of West Berlin);
- (3) Our interest in, and concern for, Steinstück^{en};

Thus, if another Steinstück^{en} incident should occur and we should use American forces we would have previously gone on record with the Soviets concerning our right of access to Steinstück^{en}. In addition, we would be in the favorable position vis-a-vis world opinion of being able to say we had tried to reach a reasonable accommodation with the Soviets regarding Steinstück^{en}.

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